

53A-1-904 No Child Left Behind -- State implementation.

- (1)
 - (a) In accordance with the No Child Left Behind Act, including Section 9527, school officials shall determine, as applied to their responsibilities, if the No Child Left Behind Act:
 - (i) requires the state to spend state or local resources in order to comply with the No Child Left Behind Act; or
 - (ii) causes the state, local education agencies, or schools to change curriculum in order to comply.
 - (b) School officials shall request a waiver under Section 9401 of the No Child Left Behind Act of any provision of the No Child Left Behind Act that violates Section 9527.
- (2) In addition to the duties described under Subsection (1), school officials shall:
 - (a) request reasonable time to comply with the provisions of the No Child Left Behind Act;
 - (b) lobby Congress for needed changes to the No Child Left Behind Act; and
 - (c) lobby federal education officials for relief from the provisions of the No Child Left Behind Act, including waivers from federal requirements, regulations, and administrative burdens.
- (3) School officials shall lobby Congress and federal education officials for needed resolution and clarification for conflicts between the No Child Left Behind Act and the Individuals with Disabilities Education Act.
- (4) In the case of conflicts between the No Child Left Behind Act and the Individuals with Disabilities Education Act, the parents, in conjunction with school officials, shall determine which program best meets the educational needs of the student.

Enacted by Chapter 2, 2005 Special Session 1

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